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Report of the Secretary-General concerning the situation in Abkhazia, Georgia

I. Introduction

1. The present report is submitted pursuant to Security Council resolution 1287 (2000) of 31 January 2000, by which the Council decided to extend the mandate of the United Nations Observer Mission in Georgia (UNOMIG) until 31 July 2000. It provides an update of the situation in Abkhazia, Georgia, since my report of 24 April 2000 (S/2000/345).

2. My Special Representative for Georgia, Dieter Boden, continues to head UNOMIG, and he is assisted in this task by Chief Military Observer Major General Anis Ahmed Bajwa (Pakistan). The strength of UNOMIG, as at 1 July 2000, stood at 102 military observers (see annex).

II. Political aspects

3. During the reporting period, my Special Representative continued his consultations, within the framework of the Geneva peace process, with representatives of the Georgian and Abkhaz sides, the Russian Federation as facilitator, the members of the group of Friends of the Secretary-General for Georgia and the Organization for Security and Cooperation in Europe (OSCE). However, progress was slow, mainly owing to a lack of sufficiently energetic efforts on the part of the two sides to achieve tangible results. Only on 11 July 2000, when the Coordinating Council was convened, was the machinery of the peace process reanimated.

4. Some of the delays encountered during the period were also caused by the reshuffling of key players in the Government of Georgia by President Eduard Shevardnadze following his re-election (on 9 April 2000) and inauguration (on 30 April 2000). On 4 July 2000, President Shevardnadze named the newly-appointed State Minister, Giorgi Arsenishvili, as head of the Georgian delegation to the Coordinating Council. In addition, the President created a new post — Minister for Special Assignments — with direct responsibility for conflict settlement in Georgia, and appointed to it Malkhaz Kakabadze, Georgia's former Ambassador to the Russian Federation. Mr. Kakabadze now works closely with my Special Representative.

5. In pursuance of Security Council resolution 1287 (2000), my Special Representative continues to work closely with the group of Friends, whom he meets at least once a month, to further refine the draft document dealing with the distribution of competences between Tbilisi and Sukhumi on the basis of the principles of Georgian sovereignty and territorial integrity (see S/2000/39, para. 7). In addition, on 9 and 10 May 2000, my Special Representative travelled to Moscow for consultations on this matter with representatives of the Russian Federation, in its capacity as facilitator. A version of the draft document, dated 25 May 2000, was produced and circulated among the Friends in the expectation that it might serve in the near future as a basis on which to open a political dialogue between the Georgian and Abkhaz sides. However, differences of views have since arisen among the Friends themselves concerning both content and strategy, and strong concerted efforts are now urgently needed to produce a coordinated draft and approach.

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6. Meanwhile, the Georgian side continued to express its eagerness to commence negotiations on the critical issue of Abkhazia's future status on the basis of the document on the distribution of competences between Tbilisi and Sukhumi currently being worked out by my Special Representative. The Abkhaz side, for its part, maintained its position that it would not engage in a dialogue with the Georgian side on this issue. However, at the same time, it gave indications that it does not wish to be left out of the debate completely. In consultations with my Special Representative, the Abkhaz side has renewed its expressions of interest in the convening of a conference of experts to discuss legal aspects of the conflict.

7. On 3 May 2000, on the ceasefire line, my Special Representative chaired a high-level emergency meeting of the Georgian and Abkhaz sides, convened to address a rapidly deteriorating security situation on the ground in the wake of the killing of some 12 members of the Abkhaz militia in a series of ambushes in the Gali district. The meeting was remarkable for the frankness with which participants discussed the growing problem of organized criminality. Following the meeting, a draft Protocol of the Gali meeting of the Georgian and Abkhaz sides on the stabilization of the situation in the security zone was produced which provides for the monitoring by UNOMIG and the peacekeeping force of the Commonwealth of Independent States (CIS) of an agreed ceiling in the number of armed law enforcement personnel stationed in the security zone, and for the creation of a new structure of increased cooperation by the two sides in the fight against crime. The signing of the Protocol was delayed as a result of the reshuffling in the Government of Georgia (see para. 4).

8. On 11 July 2000, my Special Representative convened the tenth session of the Coordinating Council of the Georgian and Abkhaz sides in Sukhumi. The sides were represented by delegations led by their respective prime ministers. At this session, the Protocol of 3 May was signed by the two sides, my Special Representative and the Commander of the CIS peacekeeping force. The Council itself decided that Working Group I, under the chairmanship of my Chief Military Observer, should in future meet on a monthly basis to monitor its implementation. The Council also decided that the two sides would accelerate work on the draft Protocol on the return of refugees to the Gali district and measures for economic rehabilitation and Agreement on peace and guarantees for the non-resumption of hostilities, which have been discussed intermittently since June 1998. Furthermore, the Council took note of a number of suggestions submitted by my Special Representative to improve implementation of confidence-building measures, including the creation of a database of existing projects.

9. During the reporting period, a number of projects within the confidence-building measures component of the Geneva peace process were carried out. Early in June, my Special Representative brought to Sukhumi the Director of the Georgian National Library, Levan Berdzenishvili, who reached an agreement with the Abkhaz side that books and materials pertaining to Abkhazia would be sought among Georgian holdings and given to the Abkhaz side as a partial replacement for the Abkhaz Archives destroyed during the 1992-1993 war. The first presentation of materials was made by the Georgian side during the session of the Coordinating Council held on 11 July 2000, and further cooperation in this area is planned. From 16 to 19 May 2000, Georgian and Abkhaz non-governmental organizations whose members are elders and war veterans convened at Sochi (Russian Federation) and agreed on a series of measures designed to help participants to move from confrontation to peace and accord. In mid-June, on the basis of an agreement reached during the Istanbul Meeting of 1999 on confidence-building measures, the United Nations Human Rights Office in Sukhumi hosted a training session offered by journalists from the BBC for their Georgian and Abkhaz colleagues. The Georgian/Abkhaz Coordinating Commission and its Executive Secretary Zurab Lakerbaia have continued to make concerted efforts to realize projects in the economic, social and humanitarian fields.

III. Operations of the United Nations Observer Mission in Georgia

10. The United Nations Observer Mission in Georgia continues to perform its mandate without structural or operational change, on the basis of the concept of limited patrolling described in previous reports. By means of daily ground patrols from the mission headquarters in Sukhumi and the two sector headquarters in Gali and Zugdidi, as well as weekly helicopter patrols, UNOMIG is able to cover its whole area of responsibility, with the exception of the upper

Kodori Valley where patrolling has been suspended for security reasons.

11. The Joint Fact-finding Group established on 19 January 2000, which includes representatives of the CIS peacekeeping force, as well as of the Georgian and Abkhaz sides, and is chaired by the Chief Military Observer, continues to meet on a weekly basis. While the Abkhaz side formally refuses to work with the representatives nominated by the Georgian side — all of whom are members of the Abkhaz government-in-exile — there is satisfactory cooperation on the ground with local officials from Zugdidi representing the Georgian side. UNOMIG has successfully introduced the concept of "quick reaction investigators", military observers posted in both sectors whose task is to go to the scene of an incident as quickly as possible after it occurs to record evidence before it is lost or contaminated. UNOMIG continues to stress to the representatives of the two sides the need for transparency and cooperation and an improvement in the standards of investigations.

12. The UNOMIG engineering and construction programme in support of the Mission's operational needs is continuing. A number of bridge repair projects have been completed, and additional repair proposals are being considered. On 5 May 2000, my Special Representative officiated at the opening ceremony of a bridge repaired by UNOMIG, which is located on the main trunk road linking Sukhumi to the Mission's area of responsibility and further to western Georgia. The weather-damaged single road leading into and through the Kodori Valley will also have to be repaired and, if the security situation permits, repairs will also have to be made to the damaged bridge whose lack of serviceability effectively isolates the upper part of the valley at this time.

IV. Situation on the ground

13. The general situation in the conflict zone during the reporting period remained relatively calm although unstable, with peaks in tension in April and, as had been the case in previous years, in the days leading up to the Georgian National Day on 26 May. Despite widespread apprehension and some rumour-mongering on both sides, the tension was defused without incident thanks to the efforts of the two sides (see para. 9 above) and to preventive measures taken by UNOMIG, including active liaison at every level and nearly doubling of the regular air and ground patrolling, thus creating a far more visible presence and providing the ability to dispel rumours through accurate reporting.

14. There was one confirmed violation of the Moscow Agreement during the reporting period. On 12 June 2000, a UNOMIG helicopter patrol spotted a BMP 1 armoured vehicle at an Abkhaz observation post within the restricted weapons zone. This sighting was followed up and, after two more visits to the post by UNOMIG ground patrols, the armoured vehicle, which had apparently been deployed in response to an armed attack on the post several days earlier, was withdrawn to a heavy weapons storage site.

15. During the reporting period, there were few exchanges of fire across the ceasefire line, but a number of ambushes were carried out in which 25 people were killed. The Abkhaz militia in particular was targeted. Mine accidents continued to occur with regularity, but there were no proven cases of new mines laid.

16. Endemic crime throughout the area remains a serious problem. Organized crime, particularly smuggling across the ceasefire line, is growing in scope and profitability, and there are indications that it is reaching into institutions on both sides. The criminals are ruthless, and most violent incidents in the conflict zone are products of power struggles or revenge among various groups. Some persons claiming to be associated with the Abkhaz government-in-exile continue to make efforts to destabilize the situation in the Gali district, and the blurring of their quasi-political motives with criminal violence is a further threat to stability in the zone of conflict. UNOMIG continues to encourage the two sides to improve their ability to impose law and order and to cooperate with each other.

17. The spring and summer seasons have brought local residents displaced from the Gali district back home to farm their land; some village heads of administration report that up to 80 per cent of the pre-war population has returned. There are indications that funding for schools in the Gali district has increased slightly, including a written allocation of funds in the Georgian budget. There are also signs that the Abkhaz authorities are taking a more pragmatic and flexible view on the use of the Georgian language in Gali district schools attended by Mingrelian children. Such issues relating to the education of children are

significant for the decisions of displaced families considering a return to their former homes.

V. Security situation

18. The security and safety of UNOMIG personnel remains the highest priority for the Mission. The negative effects of the widespread criminality and lack of effective law enforcement on the security conditions for UNOMIG personnel in the Gali sector have continued during the reporting period. On 17 April 2000, the father of a UNOMIG interpreter was shot dead during a bungled robbery attempt at the interpreter's home in Gali town. On 26 April, the home of another UNOMIG interpreter was looted by armed men. Most alarming, on 15 June, a group of at least three armed men opened fire at the wheels of the vehicles of a UNOMIG ground patrol in the lower Gali area in what seems to have been an attempt to stop the patrol. The motive for this attack is still unknown, although it has been suggested that this was an act of warning by criminal groups uncomfortable with the presence of UNOMIG patrols which might hinder their smuggling activities and other crimes. A reassuring element of the incident of 15 June 2000 is that the Mamba vehicle in which the patrol was travelling stood up well and, despite flat tires and gunshot damage, was able to continue through the ambush to the safety of the next CIS peacekeeping force checkpoint.

19. On 1 June 2000, in the Kodori Valley, about 3 kilometres beyond the last CIS peacekeepers' checkpoint, a group of armed and masked men took hostage a UNOMIG foot patrol consisting of two military observers and an interpreter, accompanied by two representatives of the United Kingdom-based demining non-governmental organization Halo Trust. The patrol members were held for several days in the upper Kodori Valley, near the site of the hostage-taking incident of October 1999 (see S/1999/1087, para. 18). They were released unharmed on 5 June, following consultations by my Special Representative and the Chief Military Observer with the Georgian and Abkhaz sides, promises of cooperation made by President Shevardnadze and the Abkhaz leader, Vladislav Ardzinba, during a telephone call, and direct intervention with the hostage-takers by a high-level negotiating team of the Government of Georgia. UNOMIG has been assured that no ransom was paid. After the incident, my Special Representative reminded the Government of Georgia that the international community expects that the perpetrators will be brought to justice and that UNOMIG will be provided with the security it requires to implement its mandate in the Kodori Valley. UNOMIG patrols to the upper Kodori Valley remain suspended, as they have been since October 1999, but patrols to the lower Kodori Valley are continuing with some additional security precautions.

VI. Cooperation with the peacekeeping force of the Commonwealth of Independent States

20. Relations with the CIS peacekeeping force have been excellent over recent months, including positive personal and professional relationships at every level and prompt responses to requests for support. During the hostage-taking incident in June, the CIS peacekeeping force checkpoint located highest up in the Kodori Valley hosted a UNOMIG patrol for five days. Following the shooting incident of 15 June, the CIS peacekeeping force quickly provided an armoured escort to accompany the patrol back to the sector headquarters. The sharing of information continues to improve, particularly with regard to incident investigation.

VII. Humanitarian situation and human rights

21. The humanitarian situation for vulnerable persons in Abkhazia, as in the rest of Georgia, is often severe, and exacerbated by the decay of the region's economic infrastructure. As a result of the emigration of some members of the most productive demographic segments of society, the population has a disproportionately large number of elderly persons and vulnerable children.

22. In Abkhazia, excluding the Gali region, humanitarian agencies are providing for the acute needs of the vulnerable population as described previously (S/2000/39, paras. 26 and 27). In addition to these operational programmes, the Office for the Coordination of Humanitarian Affairs continues to monitor the overall humanitarian situation. The ongoing humanitarian programmes address life-saving needs but cannot solve the underlying structural

roblems that could only be addressed by rehabilitation rogrammes.

3. In the Gali region, the Office for the Coordination f Humanitarian Affairs, the Halo Trust, the nternational Committee of the Red Cross (ICRC) and Médecins sans frontières France continue to undertake umanitarian activities. These activities, however, are mited because of security concerns, in particular the ctivities of criminal organizations. In addition, umanitarian agencies are reluctant to undertake rogrammes that may encourage the return of displaced ersons to unsafe areas. Efforts by the Georgian and bkhaz sides continue to implement the concrete easures for the improvement of the security climate greed on during the bilateral meetings of 3 February see S/2000/345, paras. 6, 16 and 18) and 3 May 2000 see para. 7 above). Should these efforts, and possible uture agreements within the framework of the Geneva eace process, result in a tangible improvement of the ecurity situation, the Office of the United Nations igh Commissioner for Refugees (UNHCR) may enact xisting contingency plans to assist the returnees to the ali district and redeploy resources and staff that were mporarily withdrawn. In the meantime, UNHCR is eviewing its operational involvement in the area.

4. In May, my Representative for Internally isplaced Persons, Francis Deng, visited Georgia, and eld consultations in Tbilisi with President hevardnadze and in Sukhumi with Mr. Ardzinba, uring which he reiterated the right of the internally isplaced persons to return to their homes in conditions f security and dignity. Mr. Deng was encouraged by ie commitment of the Government of Georgia and the nternational community to ensuring a rapid and ffective implementation of the new approach to ssistance to internally displaced persons (see /2000/345, para. 24), which recognizes the nprescriptible right of all persons to return to their omes in secure conditions, as well as their right to be eated in the same manner as all Georgian citizens.

5. The United Nations Human Rights Office in bkhazia, Georgia, continued to provide advisory ssistance to the local population of Abkhazia, where ie major issues of concern are violations of the right o property and the right to housing, the right to the rotection of the law and fair trial, and the right to reedom of movement. The number of people lodging omplaints with the office increased in comparison ith the previous reporting period. In close coordination with ICRC, the office has also started monitoring the human rights situation in places of detention in Abkhazia. The office also facilitated the translation into the Abkhaz language, and made arrangements to publish, United Nations publications on discrimination against women and methods of combating torture. The office made donations of human rights literature to its three depository libraries in Sukhumi. Consideration has been given to strengthening the activities of the office, for example by opening a branch office in Gali. However, because of the prevailing security situation in the area, as well as reservations on the part of the Abkhaz authorities, such a step has not so far been possible.

VIII. Social and economic aspects

26. In June 2000, a mission of the International Monetary Fund (IMF) visited Georgia to assist the Government in developing a financial programme for the remainder of the year 2000 and outlining the macroeconomic programme for the year 2001. During the mission, it was agreed that, in view of substantial deviation from the approved programme for the current year, particularly in the fiscal area, strong and sustained adjustment efforts by the Government of Georgia were needed in the period ahead to reduce the deficit and create conditions that would allow the resumption of the suspended Fund programme.

27. Specifically, in order to proceed to a Fund-supported economic programme at the end of this year, the Government will have to revise its budget so as not to accumulate additional expenditure arrears. In addition, it will have to establish a track record in implementing the budget and other financial policies by the end of November 2000, implement measures aimed at tackling problems of governance and corruption, and elaborate a poverty-reduction strategy.

28. At the same time, with support from the United Nations, the World Bank and IMF, the Government has started to prepare a comprehensive strategy to reduce poverty. The strategy paper containing concrete targets and plans to reduce extreme poverty by 50 per cent by the year 2005 and to improve the living conditions of the population by the year 2015 in accordance with international standards defined by United Nations conferences, will be completed by the second quarter of the year 2001.

IX. Financial aspects

29. By its resolution 54/271 of 15 June 2000, the General Assembly appropriated an amount of $30,048,197 (gross), equivalent to $2,504,016 per month, for UNOMIG for the period from 1 July 2000 to 30 June 2001. The assessment of these amounts is subject to the decision of the Security Council to extend the mandate of the Mission.

30. Should the Security Council decide to extend the mandate of UNOMIG beyond 31 July 2000, as recommended in paragraph 38 below, the cost of maintaining the Mission until 31 January 2001 would be limited to the monthly amounts approved by the General Assembly.

31. As at 30 June 2000, unpaid assessed contributions to the special account for UNOMIG amounted to $10.6 million. The total outstanding assessed contributions for all peacekeeping operations at that date amounted to $1.9 billion.

X. Observations

32. No major progress in the framework of the Geneva peace process was achieved during the reporting period, but the results of the Coordinating Council session held on 11 July have opened the prospect for constructive engagement between the parties, especially on security matters. The July meeting notwithstanding, there continue to be delays in convening the sessions of the Coordinating Council, which, according to its statute, should meet every two months. Though domestic considerations always place constraints on political leaders engaged in a conflict settlement process, no progress can be achieved without demonstration of substantial political will from both the Georgian and Abkhaz parties. I call on both sides to engage fully in the negotiating process within the framework of the parallel strategy proposed by my Special Representative, which ensures that time and attention will be given to each aspect currently on the table — practical issues of refugee return, security and economic rehabilitation, and the fundamental question of the status.

33. The most critical element of the package is Abkhazia's political status, and if this element is not included in the negotiating process in its own right, the entire process may be jeopardized. Both parties, most particularly the Abkhaz side, must muster the political will to engage resolutely in negotiations on the status issue. I count on the group of Friends to maintain their unity and to lend my Special Representative all possible support in this regard.

34. The plight of thousands of internally displaced persons still living away from their homes, and of those thousands more who have chosen to return to their homes in the Gali district, is increasingly desperate. While individual people on the ground find the courage to confront the hardship conditions of their daily lives, the leadership of both sides still evinces an unacceptable tendency to use the issue as a bargaining chip. Both sides should be reminded of the inalienable right of all refugees and internally displaced persons to return to their places of previous permanent residence in Abkhazia, and work should proceed to re-establish functioning local administrative structures in which the returnee population is appropriately represented. This is a strictly humanitarian matter of utmost urgency. I encourage the sides to negotiate with a view to reaching agreement on measures aimed at achieving this return. The draft Protocol on the return of refugees to the Gali district and measures for economic rehabilitation may serve as a useful basis for these efforts. The expressed desire of both sides for a resolution of this matter should be translated into concerted action.

35. On 3 May 2000, the Georgian and Abkhaz sides demonstrated again their readiness to convene urgently and agree on practical measures to improve the security situation on the ground, when conditions so warrant. The vicissitudes of the security situation must not be allowed, however, to serve as an excuse to derail the political peace process. In this context, the marked increase of organized criminality along the ceasefire line, and its impact on security conditions for returnees to the Gali district, is particularly pernicious. I call on both sides to take urgent measures, on the basis of the Protocol of 3 May 2000, to cooperate in the fight against crime of all sorts and in improving the work of their respective law enforcement organs.

36. Following two serious security incidents during this reporting period, I must emphatically remind the Georgian and Abkhaz sides that the security of UNOMIG military and civilian personnel is primarily their responsibility. As my Special Representative has underlined in his recent consultations, the international community expects that the Government of Georgia

will bring to justice the perpetrators of the hostage-taking incident of June 2000, and that it will work to ensure security conditions that will allow UNOMIG to carry out its mandate in the upper Kodori Valley. It should be kept in mind, in this context, that these same expectations were voiced following the hostage-taking incident of October 1999, but regrettably remain unfulfilled. Furthermore, the shooting incident of 15 June 2000 has underscored the urgent need for cooperation between the Georgian and Abkhaz sides to radically improve the security climate in the security zone.

37. I am pleased to note that during the reporting period work has continued, often behind the scenes, on confidence-building measures in various fields. Without this critical component, aimed at genuine reconciliation and the eradication of the perception of the other side as the enemy, the peace process would be anaemic. I appeal to both sides to engage with full seriousness and resolution in this component of the overall effort, by strengthening the depth and breadth of contacts at all levels.

38. Despite the slow progress, it is evident that UNOMIG continues to play an essential role in the search for a peaceful solution to the Georgian-Abkhaz conflict through its sustained efforts to further the peace process. At the same time, through its monitoring presence on the ground, the Mission undoubtedly remains a central element in the efforts to stabilize the situation in Abkhazia, Georgia. I therefore recommend that the Security Council extend the mandate of UNOMIG for a further six-month period, ending 31 January 2001.

39. The last three months have once again shown that service in the cause of peace in UNOMIG is a difficult and dangerous undertaking. I would like to commend the men and women of UNOMIG who perform their duties in these demanding circumstances with exemplary professionalism and dedication.

Annex

Composition of the United Nations Observer Mission in Georgia as at 1 July 2000

Country	*Military observers*
Albania	1
Austria	5
Bangladesh	7
Czech Republic	5
Denmark	5
Egypt	3
France	3
Germany	10
Greece	3
Hungary	7
Indonesia	4
Jordan	6
Pakistan	7*
Poland	4
Republic of Korea	3
Russian Federation	3
Sweden	5
Switzerland	4
Turkey	5
United Kingdom of Great Britain and Northern Ireland	7
Uruguay	3
United States of America	2
Total	**102**

* Including the Chief Military Observer.

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